

Remarks

Applicants respectfully request reconsideration of the present U.S. Patent application as amended herein. Claims 1-4, 8-11, 15, 17, 21 and 23-25 have been amended.

35 USC §103

Claims 1-14 stand rejected under 35 USC §103(a) as being obvious over Amdahl (U.S. Patent No. 6,253,334) in view of Anand (U.S. Patent 6,141,705).

Claims 15-25 stand rejected under 35 USC §103(a) as being obvious over Amdahl in view of Cajolet (U.S. Patent 6,192,388).

Applicant believes the rejections are moot in light of the amendments to clarify inventive intent. In particular, recitations of primary and secondary use in the independent claims 1, 8, 15, and 21 have been clarified to show how data received by a team for processing is assigned to a team member and, if necessary, e.g., because an assigned team member in fact lacks support for a needed capability, the data may be transparently forwarded to an other member of the team supporting the capability for processing by the other team member.

Transparent processing may be done at the network interface level, e.g., automatically without need for higher-level software support. Providing such transparent "fail-over" of data processing not supported by a particular team member allows an adapter team to be heterogeneously shared even when not all members of the team support the same processing characteristics. Thus, assuming an adapter supporting the capability is more expensive than those without, the recited embodiments allow for

incrementally improving a team by selectively replacing team members while appearing to provide the capability by all members of the team.

Even if we assume for the sake of argument that Amdahl teaches as suggested by the Office, Amdahl fails to teach or suggest the recited distribution of processing between members of the team as recited. And, while Anand appears to teach offloading processing, Anand does not appear to teach distribution of processing between members of the team as recited. Further, it is important to note that Anand does not transparently offload processing. Thus, it is respectfully submitted that whether Amdahl and Anand are considered individually, or one in view of the other, these references fail to teach the recited embodiments as amended in claims 1, 8, 15 and 21.

Regarding claims 2, 3, 9, and 10 in particular, these claims have been amended to recite that the MAC address for the second member of a team supporting a capability is set to the MAC address of the first member that lacked support for the capability. Claims 3 and 10 assign a specific time context to the MAC address adjustment. It is submitted that the documents relied on by the Office fail to teach or suggest the combination of limitations of these dependent claims along with the limitations of the clarified independent base claims.

Regarding claim 15 in particular, it is submitted that identifying a failed NIC is very different from continuing to use a dead NIC because some part of it remains able to perform secondary data processing even though it is otherwise unable to properly function to perform its primary task(s). In a typical adapter team configuration, a failed NIC is not used at all, and processing for that NIC is routed across remaining active

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members of a team. This is different than from a NIC in an operational but "dormant" state as suggested by the Office. Consequently, the Office has failed to explicitly show where in Cajoleet there is teaching of using a **failed NIC** as recited. The Office is respectfully requested to withdraw the rejection until such explicit teaching in Cajoleet or elsewhere is identified to Applicant.

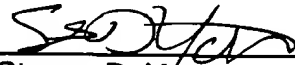
Regarding the dependent claims generally, these claims are allowable for at least the reason as depending from allowable base claims as discussed above.

Conclusion

For at least the foregoing reasons, Applicants submit that the rejections have been overcome. Therefore, claims 1-25 are in condition for allowance and such action is earnestly solicited. **If the present response is not deemed persuasive, the Examiner is respectfully requested to contact the undersigned by telephone to discuss further examination of the present application.** Please charge any shortages and credit any overcharges to our Deposit Account number 02-2666.

Respectfully submitted,

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Steven D. Yates
Patent Attorney
Intel Corporation
Registration No. 42,242
(503) 264-6589

c/o Blakely, Sokoloff, Taylor & Zafman, LLP
12400 Wilshire Boulevard
Seventh Floor
Los Angeles, CA 90025-1026